

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CHARLES WARD AND KRISTIN WARD,	)	
	)	12-cv-6236
Plaintiffs,	)	
	)	Judge Virginia M. Kendall
vs.	)	
	)	
VERIZON WIRELESS SERVICES, LLC,	)	
	)	
Defendant.	)	

**JOINT INITIAL STATUS REPORT**

Pursuant to Fed. R. Civ. P. 26(f), Plaintiffs Charles and Kristin Ward and Defendant Cellco Partnership d/b/a Verizon Wireless (incorrectly sued as Verizon Wireless Services, LLC) hereby submit this Joint Initial Status Report.

- A. **Date and Time of Status Hearing.** This matter is set for a status hearing on November 8, 2012 at 9:00 a.m.
- B. **Attorneys of Record for Each Party.**

The attorneys of record for Plaintiff are:

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Cathleen M. Combs  
James O. Lattuner  
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& GOODWIN, LLC  
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The attorneys of record for Defendant are:

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- C. **The Basis of Federal Jurisdiction.** This Court has subject matter jurisdiction under 28 U.S.C. §§1331 (general federal question) and 1337 (interstate commerce).
- D. **Whether a Jury Has Been Requested.** Plaintiff has requested a trial by jury.
- E. **Nature of the Case.** Plaintiffs filed their complaint under the Telephone Consumer Protection Act (TCPA). Plaintiffs allege that Defendant violated the TCPA by making collection calls using an automatic dialer and persisting in calling Mr. Ward's phone after he made oral and written requests that they cease.
- 1. The major factual issues:**
- a. Whether Defendant used an automatic dialer in the course of attempting to collect an alleged debt from Plaintiffs;
- b. Whether Defendant persisted in calling Mr. Ward's phone after written and oral requests that they cease.
- 2. The major legal issues:**
- a. Whether Defendant violated the TCPA;
- b. Whether Plaintiffs can revoke consent to be called under the TCPA;
- c. Plaintiffs' damages.
- F. **Relief Sought by Any Party.** Plaintiffs seek compensatory and punitive damages; attorney's fees, litigation expenses and costs of suit, and such other or further relief as the Court deems appropriate.
- G. **Names of Parties Not Served.** All parties have been served.
- H. **Brief Description of Anticipated Motions.** Defendant's Motion to Dismiss is currently pending.
- I. **Earliest Date Parties Would Be Ready for Trial and Probable Length of Trial.** The parties believe that earliest date parties would be ready for Trial is June 2013. The probable length of trial is three days.
- J. **Status of Settlement Discussions.** The parties have not yet engaged in substantive settlement discussions.
- K. **Whether the Parties Consent to Proceed Before a Magistrate Judge:** The parties do not consent to proceed before a Magistrate Judge at this time.

Respectfully submitted,

s/ Zachary A. Jacobs  
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**CERTIFICATE OF SERVICE**

I, Zachary A. Jacobs, hereby certify that on November 7, 2012, I caused to be filed the foregoing documents via the CM/ECF System, which caused to be sent automatic notification of such filing to the following parties:

Hal R. Morris

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s/ Zachary A. Jacobs

Zachary A. Jacobs